



Re: FW: For Northeast Metal Traders re: Chemetco, Hartford site

Joan Tanaka to: Mark Sargis

Cc: 'Alice Myers', Michelle Kerr, Thomas Martin

02/25/2012 03:28 PM

Thanks. We are aware of these communications on behalf on Metals Traders.

Joan Tanaka, Chief  
Remedial Response Branch #1  
Superfund Division  
U.S. EPA, Region 5  
77 W. Jackson Blvd.  
Mailcode: SR-6J  
Chicago, IL 60604  
telephone: (312)-353-5425  
fax: 312-353-5526

Mark Sargis

Dear Ms. Tanaka: As of last week, my firm repre...

02/24/2012 03:38:50 PM

From: Mark Sargis <msargis@bellandesargis.com>  
To: Joan Tanaka/R5/USEPA/US@EPA  
Cc: Michelle Kerr/R5/USEPA/US@EPA, Thomas Martin/R5/USEPA/US@EPA, 'Alice Myers' <alice@metalttrader.com>  
Date: 02/24/2012 03:38 PM  
Subject: FW: For Northeast Metal Traders re: Chemetco, Hartford site

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Dear Ms. Tanaka:

As of last week, my firm represents Northeast Metal Traders ("Northeast") concerning the Chemetco, Hartford, IL Superfund site ("Site"). This past Wednesday I sent an initial response on behalf of Northeast to Michelle Kerr, with copy to Tom Martin, requesting additional time for us to investigate Northeast's records and prepare a response, including stating whether the company will participate in future negotiations with EPA concerning the Site (see attached copy of our 2/22/12 letter). As you may know too from the 2/17/12 letter sent on behalf of 22 named PRPs, including Northeast, those companies jointly asked for a further extension to respond to EPA.

In the meantime, yesterday Northeast received a Second Notice advising that it has not yet responded regarding its intent to negotiate with EPA and needs to reply by 3/2/12, which is also the stated deadline for responding to EPA's 104(e) request (copy also attached).

Given the timing of these letters crossing, we hope you recognize Northeast's ongoing efforts to comply with EPA's requests but we wanted to make sure. Although Northeast is unable at this juncture to give a positive response regarding its intentions to negotiate, we want to make sure you know that the company's representatives received EPA's original site package, attended EPA's meeting in December, and have participated, now with us as counsel, in all private PRP meetings and calls held so far to discuss appropriate responses to EPA's requests. We trust that this show of Northeast's cooperation is sufficient for EPA's purposes at this point.

In our transmittal to Ms. Kerr earlier this week, we asked her to add us as an additional contact for Northeast on EPA's master contact list so that we can receive directly any further notices and other

communications regarding future meetings and next steps in the process.

Regards,  
Mark Sargis

Attached:

33242 - Letter to EPA M.Kerr requesting 104(e) extension for Northeast Metal Traders

33262 - EPA Second Notice requesting response from Northeast Metal Traders

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Mark R. Sargis  
**Bellande & Sargis**  
Law Group, LLP

200 W. Madison St. #2140  
Chicago, IL 60606  
312-853-8701 main  
312-853-8713 direct  
312-853-8702 fax

**From:** Mark Sargis  
**Sent:** Wednesday, February 22, 2012 3:07 PM  
**To:** 'Michelle Kerr'  
**Cc:** Thomas Martin; Jon P. Sanders  
**Subject:** For Northeast Metal Traders re: Chemetco, Hartford site

Michelle,

Please see the attached letter. We now also represent Northeast Metal Traders, Inc. regarding the Chemetco Superfund site, in addition to Metro Recycling, Inc. I informed Tom Martin yesterday by phone. As explained in the letter, we will need an extension for Northeast to respond to the 104(e) request, in addition to the reasons stated in the joint PRP letter seeking a further blanket extension.

For your site contact list, please include contact information for Jon P. Sanders of my firm – [jsanders@bellandesargis.com](mailto:jsanders@bellandesargis.com), 312-853-8703 – in addition to mine for both Metro and Northeast.

Thank you,  
Mark

Attached:

33242 - Letter to EPA M.Kerr requesting 104(e) extension for Northeast Metal Traders

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[attachment "33242 - Letter to EPA M.Kerr requesting 104(e) extension for Northeast Metal Traders.pdf" deleted by Joan Tanaka/R5/USEPA/US] [attachment "33262 - EPA Second Notice requesting response from Northeast Metal Traders.pdf" deleted by Joan Tanaka/R5/USEPA/US]

**Mark R. Sargis**

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February 22, 2012

**Via Email only**

Ms. Michelle Kerr  
U.S. Environmental Protection Agency  
Region 5 - Superfund Division (SR-6J)  
77 W Jackson Blvd  
Chicago, IL 60604-3511  
**kerr.michelle@epa.gov**

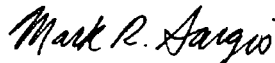
**Re: Response to U.S. EPA General Notice Letter  
Chemetco Superfund Site, Hartford, Illinois**

Dear Ms. Kerr:

This letter is to advise you that, as of last Thursday, our firm represents Northeast Metal Traders, Inc. ("Northeast") regarding the Chemetco Superfund, Hartford, Illinois ("Chemetco") site matter. I would appreciate it if you will include our added affiliation with Northeast on the next version of your PRP Master Contact List for this site. Ms. Alice Myers is the company contact for Northeast and should remain on the list. We will continue representing Metro Recycling, Inc. also at the Chemetco site, as indicated already on the contact list you circulated last month.

Also, Northeast is one of the PRPs that received a 104(e) Request for Information from U.S. EPA, and did not previously have occasion to respond to either U.S. EPA or Illinois EPA about the Chemetco site. We appreciate that the Superfund Program has allowed a one-month blanket extension, until March 3<sup>rd</sup>, for responding to the 104(e) request, as communicated in your email dated 1/18/2012. Because Northeast just retained us, however, it will take us additional time to investigate, gather and review documents and information relevant to EPA's inquiries. Northeast had begun this process already, but we have asked for additional information about the company's historical activities with Chemetco and related issues in order to respond fully to EPA's requests and to counsel Northeast on whether it will participate in future negotiations with U.S. EPA. Ms. Myers of Northeast had already signed onto the letter you received last Friday from Mark LaRose, jointly on behalf of several PRPs, in part asking for an extension until June 3<sup>rd</sup> by which to respond to the 104(e) request. But in the event that EPA does not allow a blanket further extension to all PRPs, I ask that the agency grant Northeast a further extension of at least 60 additional days so that we can complete a thorough investigation for Northeast to respond to EPA's requests and determine if it will participate further regarding the Chemetco site. Thank you for your consideration.

Very truly yours,  
BELLANDE & SARGIS LAW GROUP, LLP



Mark R. Sargis, Esq.

MRS:mah

cc: Thomas Martin, Esq.  
Ms. Alice Myers

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